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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,466	06/19/2000	Craig L. Reding	Bell-19	3940

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EXAMINER
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AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 02/04/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/596,466

Applicant(s)

REDING ET AL.

Examiner

Hector A. Agdeppa

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to applicant's amendment filed on 11/24/03. Claims 1 - 22 are now pending in the present application. **This action is made final.**

#### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,884,032 (Bateman et al.) in view of US 6,141,412 (Smith et al.)

As to claims 1 - 3, 9, 11, 15 - 17, and 21, Bateman et al. teach a call center/ACD system, wherein, a customer may be using the Internet to access various call center services and may request via an html prompt/button displayed on the call center web page(s), "Live Help" from a live agent. (Col. 6, lines 1 – 30). The system further assigns an agent, if one is available, to answer the live help request. The help request

message can contain either the customer's telephone number or IP address or email address, etc depending on whether the call is to be completed via a telephone switch or the use of Voice over IP, or even if the customer desires communications over email or fax. (Col. 6, line 31 – Col. 7, line 13).

Furthermore, in one embodiment, Bateman et al. teach that a call is made to both the customer's telephone line AND to the call center agent. Therefore, it is inherent that both telephone numbers of the customer and the agent must be transmitted so a call may be bridged between the two parties. (Col. 8, lines 42 – 61). When Voice over IP communications are desired BOTH originating and terminating IP addresses are needed hence including both the customer and agent IP addresses. (Col. 7, lines 9 – 11).

In that same embodiment, Bateman et al. teaches the interconnections between the customer premises and the call center are made via the web using broadband connections. It is inherent in broadband communications using the Internet that TCP/IP is used as one of the protocols for transmitting and receiving data. See also Col. 6, lines 25 – 30.

Bateman et al. also teach that a customer may contact the ACD via email messaging, some method of WWW/Internet communications/html forms, voice call or mail/message, IVR, etc. (Col. 7, line 14 – Col. 8, line 9)

What Bateman et al. do not teach is including the telephone number of an agent.

However, it is well known in the call center arts that customers for various reasons might want to talk to/communicate with a specific agent as taught by Smith et al.

An obvious way for a customer to contact a specific agent is to specify who that agent is, by a telephone number or DNIS for example. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have allowed, in the call back process of Bateman et al. to have allowed a customer to specify a certain agent by their associated telephone number or some other agent identifier.

Because Bateman et al. teach that a customer may contact an ACD via an email message, a customer could enter any information they want in that email message, whether it's product or service information or agent information.

Moreover, Bateman et al. contemplate allowing a customer to browse agent voice mailboxes, of course, for the purpose of leaving a specific agent a voice message. (Col. 7, lines 34 – 42) Bateman et al. also teach that the ACD may provide IVR services to request additional information from a customer. Such flexibility indicates that the system of Bateman et al. could easily and obviously be adapted to include the claimed feature, as explained above.

As to claims 4 and 18, see the above rejection and note that Bateman et al. teach allowing a customer to specify a preferred calling time to the agent. (Col. 6, lines 23 – 25).

As to claim 5, Bateman et al. teach providing the URL of the web page the customer was accessing when they requested the live help to allow the agent to better

Art Unit: 2642

serve them and also allows the agent and customer to simultaneously view the same web page for even better service. (Col. 6, lines 19 – 60).

As to claim 6, business identifiers are very old and well known in the call center arts and are merely another of identifying a customer and their needs. Inasmuch as the call center taught by Bateman et al. can be considered a standard call center except for its enhanced "Live Help" functionality, it would have been obvious for one of ordinary skill in the art to have implemented the use of business identifiers so as to allow for better service to VIP customers or repeat customers etc.

As to claims 7, 19, and 20, see the above rejection and note that either the agent telephone or IP address reads upon the claimed "customer service representative information."

As to claim 8, Bateman et al. contemplates being able to use various types of switches for the ACD system and therefore since it is old and well known to use many platforms, it would also have been obvious for one of ordinary skill in the art at the time the invention was made to have employed a conference bridge for connecting the customer and agent. This is the most common use for such a system when the bridging of calls is required as does the system of Bateman et al., discussed above.

As to claim 10, see the above rejection and note that the customer telephone number or the URL of the web page they were viewing prior to the call or even another URL reads upon the claimed "information associated with said user..."

As to claims 12 and 14, see Col. 5, lines 1 – 12 wherein all the various types of connections are contemplated by Bateman et al. Furthermore, Bateman et al.

Art Unit: 2642

contemplates having local or remote agents and the required infrastructure to allow for this. (Col. 4, lines 51 – 67)

As to claim 13, because the system of Bateman et al. is to be used with call centers dealing with products and services, sales information being sent to the customer is inherent. (Col. 5, lines 54 – 56) See also Col. 10, line 39 – Col. 11, line 8 wherein sales and sales information is discussed.

As to claim 22, see Col. 9, lines 33 – 36 wherein Bateman et al. teach using the IVR server to provide additional information, i.e., messages to the customer while waiting for the call to be set up, as when an agent is not immediately available.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1 - 22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2642


mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.  
January 28, 2004

  
AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700